E1-199

# PIKE COUNTY ENGINEER'S OFFICE

Denny Salisbury, P.E., P.S. COUNTY ENGINEER

502 South Pike Street Waverly, Ohio 45690



Fax Number: (740) 947-9339

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March 20, 2003

Victoria J. Rutson Chief- Section of Environmental Analysis 1925 K Street NW, Room 504 Washington, D.C. 20423-0001

Subject: Docket No. AB-55 (Sub.- No. 622X) CSX Transportation, Inc. – Abandonment in Pike County, Ohio

Dear Ms. Rutson:

Thank you for discussing the above referenced abandonment case with me on March 19, 2003; (see attachment dated March 13, 2003). I am very interested in obtaining copies of Exhibits D.E. and F. as called for in Section 6 of the Notice of Exemption, (Environmental Report and Historic Report).

My interest in this case is relative to the following areas where the rail proposed to be abandoned crosses public highways in Pike County; (see attached map):

- a.) CSX Rail Trestle crossing Bobo Road.
- b.) CSX Rail Trestle crossing Happy Hollow Road.
- c.) CSX at grade crossing of McCorkle Road.
- d.) CSX at grade crossing of Taylor Hollow Road.

Both of the trestles have fallen into disrepair, and I hereby request that CSX Transportation be required to remove the portions of the trestles which impact Bobo Road and Happy Hollow Road. Removal should include spans crossing highways, piers adjacent to highways, and pier foundations adjacent to highways.

In addition, I hereby request that the at-grade closings on McCorkle Road and Taylor Hollow Road be removed and the highway paving be restored.

As soon as pictures of these four sites can be assembled, I will forward prints to your office.

Thank you for your assistance in this matter.

Denny V. Salisbury, P.E., P.S. Pike County Engineer

DTS/tdj

cc: Board of Pike County Commissioners Rob Junk, Pike County Prosecuting Attorney Board of Seal Township Trustees



NATALIE S. ROBENBERG Counsel Law Department 500 Water Street Speed Code J-160 Jacksonville, FL 32202 Fax (904) 359-1248 Telephone (904) 359-3100

Writer's direct telephone line: (904) 358-1253

March 13, 2003

Via Airborne Express
Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, D.C. 20423

RE: Docket No. AB-55 (Sub-No. 622X)

CSX Transportation, Inc. - Abandonment

in Pike County, Ohio

Dear Mr. Williams:

Enclosed for filing are the original and ten copies of CSX Transportation, Inc.'s Notice of Exemption in the above-captioned proceeding. A check in the amount of \$2,700.00 to cover the filing fee is also enclosed. I would appreciate your acknowledgment of receipt of these documents by stamping the extra enclosed copy of this letter and returning it to me in the enclosed self-addressed.

Very truly yours.

Natalic S. Rosenberg

Enclosures

POST-IT FAX NOTE 7671 030-(3-03 prages 7

PENNY SALISBURY BEVERLY H. LEE

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#### BEFORE THE

### SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No.622X)

CSX TRANSPORTATION, INC. ABANDONMENT IN PIKE COUNTY, OHIO

## NOTICE OF EXEMPTION

Natalie S. Rosenberg Counsel 500 Water Street J150 Jacksonville, FL 32202 (904) 359-1253

Counsel for CSX TRANSPORTATION, INC.

DATED: March 13, 2003

MAR 17'03

BEFORE THE

SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No.622X)

CSX TRANSPORTATION, INC. ABANDONMENT IN PIKE COUNTY, OHIO

#### NOTICE OF EXEMPTION

CSX Transportation, Inc. ("CSXT") files this Notice of Exemption pursuant to the Board's regulations at 49 C.f.R.
\$1152.50. This Notice of Exemption is for abandonment of CSXT's line of railroad at Teays Industrial Track between Milepost CES-0.00 and Milepost CES-4.14 (hereinafter "the line"), a distance of approximately 4.14 miles, which traverses through United States Postal Service ZIP Codes 45661, 45613 and 45690 in Pike County, Ohio. In accordance with the aforesaid regulations, CSXT makes the following responses:

## RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

Proposed Consummation Date.

The proposed consummation date of this abandonment is May 13, 2003.

Certification Required in Section 1152.50(b).

The required certification is set forth as Exhibit B to this Notice of Exemption.

- Information required in Section 1152.22(a)(1-4),
  - (7), (8) and (e)(4).
  - (a) General.
    - (1) Exact name of applicant.
      CSX Transportation, Inc.
    - (2) Whether applicant is a common carrier by railroad subject to the Interstate Commerce Act.

CSXT is a common carrier by railroad subject to the Interstate Commerce Act.

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(3) Relief sought (abandonment of line or discontinuance of operations).

CSXT seeks authority to abandon the line.

(4) Detailed map of the line.

Maps are attached hereto as Exhibit A. .

(7) Name, title and address of representative of applicant to whom correspondence should be sent.

Natalie S. Rosenberg Counsel CSX Transportation, Inc. 500 Water Streat J150 Jacksonville, FL 32202

(8) United States Postal Service Zip Codes that the line traverses.

45661, 45613 and 45690

- (e) Rural and community impact.
  - (4) Statement of whether the properties proposed to be discontinued are suitable for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

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The proparties proposed for abandonment may be suitable for other public purposes, but may be subject to reversionary interests that would affect transfer of title for other than rail purposes.

4. The Level of Labor Protection.

abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. Section 1152.50(c). Accordingly, CSXT anticipates that the Board will impose the conditions set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1975), for the benefit of any carrier employee who may be adversely affected by the proposed abandonment.

5. Certificate of Compliance With the Notice Requirements of Section 1152.50(d)(1).

The required certificate is set forth as Exhibit C to this Notice of Exemption.

Environmental Report and Historic Report.

The Environmental Report required by 49 C.F.R.

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1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits D and E, respectively, to this Notice of Examption. Attached as Exhibit(F) is a certificate showing CSXT's compliance with 49 C.F.R. 1105.11.

> 7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published in The Columbus Dispatch, Columbus, Ohio, on March 5, 2003. An affidavit of publication from this newspaper will be forwarded to the Board as soon as it is received by CSXT.

8. Verification.

The required verification is set forth as Exhibit G to this Notice of Exemption.

Respectfully submitted,

Counsel

CSX Transportation, Inc. 500 Water Street J150 Jacksonville, FL 32202

DATED: March 13, 2003



